(1)

CHHOL

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

WRIT PETITION NO. 3456 **/2003**

PETITIONER : Rom Nath Sahu, son of Pati Ram Sahu, Posted as Accountant, Office of the Block Education Officer, Gunderdehi, Tehsil Gunderdehi, Dist. Durg (C.G.) Presently residing at C/o Sheikh Sharif Near Mosque, Gunderdehi, Tehsil Gunderdehi, Dist. Durg (C.G.), Permanent address- Village Anda, Tehsil & Dist. Durg (C.G.)

P. R. No. 3304/03
Presented by Shri M.P.S. Baghel
dated 26.12.03

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
   Through the secretary,
   Department of School Education,
   Govt. of Chhattisgarh,
   D.K. Bhavan, Raipur (C.G.)
2. The District Education Officer,
   Durg (C.G.)
3. The Block Education Officer,
   Gunderdehi, Tehsil Gunderdehi,
   District Durg (C.G.)
4. Shri K.R.Hirwani,
   Accountant, office of the Block Education Officer Gunderdehi Tehsil Gunderdehi,
   District Durg (C.G.)

शपथ आयुक्त
एस. के. शुक्ला
बिलासपुर (म.प्र.)
बिलासपुर तहसील क्षेत्र
29/12/03

RECEIVED COPY
Clerk to A. G. Bilaspur
29/12/03

MSH

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT/WRITS, ORDER/ORDERS, DIRECTION / DIRECTIONS IN THE NATURE OF MANDAMUS, CERTIORARI, OR OF ANY OTHER APPROPRIATE NATURE

01) **PARTICULARS OF THE PETITIONER**:

As per cause title.

02) **PARTICULARS OF THE RESPONDENTS**:

As per cause title.

03) **PARTICULARS OF ORDERS AGAINST WHICH THE PRESENT PETITION IS BEING MADE:**

XI-HC-22

(257)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.3456/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	03.11.2003 Shri M.P.S. Bhatia, counsel for the petitioner. Shri Ranbir Singh Marhas, Govt. Advocate for the State/ respondents 1 to 3. Heard both the counsel. By this writ petition under Article 226 of the Constitution of India, the petitioner seeks to challenge the transfer order dated 24.09.2003, which was forwarded by respondent No.2 on 10.10.2003. The learned counsel for the petitioner submits that the petitioner is working as Account in the Office of respondent No.3. The petitioner was transferred at the present place of posting (Gunderdehi) vide order dated 23.09.2002 and he joined on that post on 10.10.2002. Within a period of one year, the petitioner has been transferred to Balod, District: Durg, and the transfer order has been issued in the back date after issuance of the notification dated 06.10.2003 by the Election Commission of India, which is against the directions of the Election Commission. The learned counsel for the petitioner further submits that the petitioner's father is aged about 75 years and the petitioner is required to look after him at Gunderdehi. In the circumstances, the petitioner may be allowed to make a representation to respondent No.1 to which the learned Govt. Advocate appearing for the State/ respondents 1 to 3 has no objection.	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(26)

आदेश पत्रक

मामला क्रमांक W.P.No.3456/2003 सन्

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a representation to respondent No.1 within ten days from today raising all his grievances and in turn, respondent No.1 shall decide the representation within thirty days from the date of receipt of the representation, in an objective manner with a reasoned order considering all the grievances of the petitioner. Till then, the petitioner shall not be relieved from the present place of posting, if he has not already been relieved. With the above observations and directions the petition stands disposed of. Consequently, M.(W.)P.No.3140/2003 and I.A.No.9964/2003 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	

Soma